

**STATE OF RHODE ISLAND
BEFORE THE RHODE ISLAND ETHICS COMMISSION**

**In re: Glen Skurka,
Respondent**

Complaint No. 2017-10

ORDER

This matter having been heard before the Rhode Island Ethics Commission on September 25, 2018, pursuant to 520-RICR-00-00-3.16 Informal Disposition (1011), and the Commission having considered the Complaint herein, the Respondent's Answer, and the proposed Informal Resolution and Settlement, which is incorporated by reference herein, it is hereby

ORDERED, ADJUDGED AND DECREED


THAT, the Commission approves the Informal Resolution and Settlement as submitted;

THAT, the Commission incorporates by reference herein the Findings of Fact and Admissions, and the Conclusions of Law, set forth in the Informal Resolution and Settlement;

THAT, by participating in the Coventry Sewer Subcommittee's January 13, 2016 discussion and vote to approve Come Along Inn, Inc.'s sewer tie-in application, for which it was reasonably foreseeable that D'Ambra Construction, Co., his employer, would perform the lateral installation separate from, but associated with, the tie-in application and benefit financially, the Respondent had an interest that was in substantial conflict with the proper discharge of his public duties in violation of Rhode Island General Laws § 36-14-5(a); and

THAT, the Respondent is ordered to pay a civil penalty in the amount of Two Hundred Dollars (\$200).

Entered as an Order of this Commission,



Chairperson

Dated: September 25, 2018

**STATE OF RHODE ISLAND
BEFORE THE RHODE ISLAND ETHICS COMMISSION**

**In re: Glen Skurka,
Respondent**

Complaint No. 2012-16

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INFORMAL RESOLUTION AND SETTLEMENT

The Respondent, Glen Skurka, and the Rhode Island Ethics Commission (“Ethics Commission”) hereby agree to a resolution of the above-referenced matter as follows:

I. FINDINGS OF FACT & ADMISSIONS

1. The Respondent was appointed to the Coventry Sewer Subcommittee (“Sewer Subcommittee”) in February 2010, and has served continuously in said capacity.
2. The Sewer Subcommittee was created in 2004 and its members are appointed by the Coventry Town Council (“Town Council”). Its primary function is to review sewer-related matters and make recommendations to the Town Council.
3. The Town Council acts as the Coventry Sewer Commission and has final decision-making authority with respect to any sewer projects or matters submitted to it by the Sewer Subcommittee.
4. In his private capacity, the Respondent has been employed as a project superintendent for D’Ambra Construction Co., Inc. (“D’Ambra”), since June 17, 2013, to manage the construction of private residential developments. His duties include estimating, purchasing, performing site layouts, and billing projects.
5. On January 15, 2015, the Town entered into a two-year, unit-price contract with D’Ambra for the maintenance and repair of sewer lines throughout the Town, and for the installation of sewer laterals to existing sewer lines for residential and commercial property owners without access to a main sewer line. This process requires digging up the road to expose

the sewer line before a lateral can be installed.

6. Pursuant to this contract with the Town, D'Ambra is paid for each lateral installation project that it completes, separate from and in addition to the monies it receives for installing sewer lines throughout the Town. The property owner pays the Town for the lateral installation work that D'Ambra performs, and the Town tenders payment to D'Ambra upon completion of the work.

7. Once a lateral is installed, the property owner is required to hire a private contractor of its choice to complete the tie-in from the lateral to the home or business.

8. On January 13, 2016, the Sewer Subcommittee reviewed an application submitted by Come Along Inn, Inc. ("Come Along Inn"), a restaurant located on Washington Street in Coventry, for a sewer tie-in. The applicant and its engineer appeared before the Sewer Subcommittee and the engineer explained that a lateral needed to be installed, that D'Ambra would perform the lateral installation, and the applicant's private contractor would perform the tie-in and connect the lateral to the building.

9. The Respondent participated in the Sewer Subcommittee's January 13, 2016 discussion and vote to pass a resolution approving the sewer tie-in application for Come Along Inn. The resolution was submitted to the Town Council for its final approval.

10. The cost of the work that D'Ambra performed to install the lateral connecting to Come Along Inn's property line was \$13,680.

II. CONCLUSIONS OF LAW

1. As a municipal appointed official, the Respondent was, at all relevant times, subject to the Rhode Island Code of Ethics in Government, pursuant to R.I. Gen. Laws § 36-14-4(2).

2. By participating in the Sewer Subcommittee's January 13, 2016 discussion and vote to approve Come Along Inn's sewer tie-in application, for which it was reasonably foreseeable that D'Ambra, his employer, would perform the lateral installation separate from, but associated

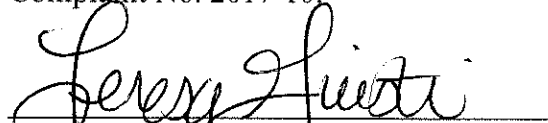
with, the tie-in application and benefit from financially, the Respondent had an interest that was in substantial conflict with the proper discharge of his public duties in violation of Rhode Island General Laws § 36-14-5(a).


III. SETTLEMENT

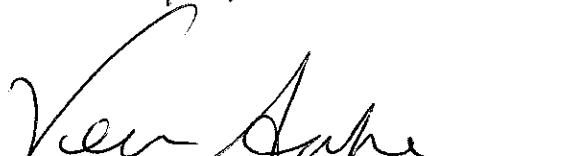
Pursuant to the above Findings of Fact and Conclusions of Law, the parties hereby agree, subject to the approval of the Ethics Commission, to the following, pursuant to R.I. Gen. Laws § 36-14-13(d) and Commission Regulation 1011:

1. The Ethics Commission shall enter an Order and Judgment adopting the Findings of Fact, Conclusions of Law, and terms of the Settlement herein.
2. The Respondent agrees that, pursuant to the above Findings of Fact and Conclusions of Law, the Prosecution will recommend the imposition of a civil penalty in the amount of \$500.00. The Respondent agrees to the payment of said civil penalty.
3. The above terms represent the full and complete Informal Resolution and Settlement for

Complaint No. 2017-10.


Teresa Giusti, Esq. (Bar No. 8006)
Commission Prosecutor
Dated: 9/21/18


Glen Skurka
Respondent
Dated: 9/13/18


Veronica Assalone, Esq. (Bar No. 5737)
Respondent's Counsel
Dated: